RE: CB Formalin Hazardous Determination

Steve Enyart

to:

Nicole Cruise

09/24/2009 09:28 AM

Cc:

coyler, "'Steve Schmidt", plilly

Show Details

Nicole.

I am attaching the description of corrective actions taken by us and the manifest issued for/by Safety Kleen for Triumph Foods' for the determination and proper disposal of the one gallon container of CB Formalin cited in the May 25, 2009 EPA RCRA inspection; Notice of Violation 5.0.1.

Please let us know if you need any further information to close this matter.

Respectfully,

Steve Enyart Safety Manager senyart@triumphfoods.com 5302 Stockyards Expressway St. Joseph, MO 64504 816-396-2825

From: Cruise.Nicole@epamail.epa.gov [mailto:Cruise.Nicole@epamail.epa.gov]

Sent: Tuesday, September 08, 2009 11:02 AM

To: Steve Enyart

Subject: Re: CB Formalin Hazardous Determination

Thanks for the update.

Nicole Cruise
Air and Waste Management Division
RCRA Enforcement and State Programs Branch
Solid Waste Pollution Prevention Branch
U.S. EPA Region 7
913.551.7641 phone
913.551.7201 fax

cruise.nicole@epa.gov

From: "Steve Enyart" <senyart@triumphfoods.com>

To: Nicole Cruise/R7/USEPA/US@EPA

"'Carl Oyler'" <coyler@triumphfoods.com>, "'Steve S" <sschmidt@triumphfoods.com>, <plilly@triumphfoods.com>, "Nedrow, Winfield"

<Winfield.Nedrow@safety-kleen.com>

Date: 09/08/2009 10:58 AM

Cc:

Subject: CB Formalin Hazardous Determination

file://C:\WINDOWS\Temp\notesFCBCEE\~web8952.htm

Nicole,

Since we have no other disposal options for the one (1) gallon plastic container of, CB Formalin; we have issued a requisition to Safety Kleen for the profiling, transportation and the disposal of this product.

We anticipate getting the profile sometime before September 21, 2009 and then have the container picked up by Safety Kleen on September 22, 2009.

I will scan in and email you the manifest when this occurs. Thanks for you guidance in this matter.

Steve Enyart
Safety Manager
senyart@triumphfoods.com
5302 Stockyards Expressway
St. Joseph, MO 64504
816-396-2825

5.0 VIOLATIONS

5.0.1. Failure To Make A Hazardous Waste Determination (NOV #1)

According to 40 CFR 262.11, a hazardous waste determination must be made on all solid wastes. A hazardous waste determination had not been made on the following:

Administrative Building (Safety Office)

- One ¾ full five gallon container of formalin labeled with the words "Outdated Chemical" (see photo #1).

Mr. Enyart stated that the one % full five gallon container of formalin (labeled with the words "Outdated Chemical") has been in storage at the Safety Office for at least two to three weeks. Mr. Enyart stated that the five gallon container of formalin (labeled with the words "Outdated Chemical") was determined to be unusable by the Microbiology Lab staff. I asked Mr. Enyart if the one % full five gallon container of formalin (labeled with the words "Outdated Chemical") was RCRA hazardous. Mr. Enyart stated "I don't know." I asked Mr. Enyart if Triumph has made a hazardous waste determination on the one % full five gallon container of formalin (labeled with the words "Outdated Chemical") in the Safety Office. Mr. Enyart stated "No."

This was a one gallon container of CB Formalin which had been brought to the Safety Manager by the Lab Manager on or about February 23rd, 2009 and informed me that they no longer had a use for it.

We did the hazard determination after the audit by calling the manufacture, Anatech LTD, who advised us that they have a process whereby the active ingredient of CB Formalin, formaldehyde, can be safely broken by our lab with another of their products, Formaldetox, and then disposed via our on site waste water pre treatment facility or a sanitary drain.

The container has been returned to storage in the Micro Lab until the Formaldetox we have ordered arrives.

NOTE: I am attaching the use instructions and MSDS for the Formaldetox to my email for your review and we will await your comments before proceeding with the disposal of the CB Formalin.

UPDATE September 24, 2009 FINAL DETERMINATION AND DISPOSAL

The city of St. Joseph POTW chose not to authorize the break down of the 18% formaldehyde into its non-regulated constituents per the manufacturer's procedures. Triumph Foods then sent the MSDS and other information on to Safety Kleen for profiling.

The one gallon, five pound container was picked up on Setpember 23, 2009 by Safety Kleen; Manifest Tracking Number 002141223 SKC. (see next page)

We believe this action now completes the abatement of Violation 5.0.1. Please advise if you feel it does not. Thank you.

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